

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

THOMAS D. SPAN,

Plaintiff,

VS.

HOMER BRYSON, et al,

Defendants

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CIVIL No: 5:16-CV-0067-MTT-CHW

ORDER

Plaintiff Thomas D. Span, an inmate confined at Washington State Prison in Davisboro, Georgia, filed a *pro se* complaint in this Court seeking relief pursuant to 42 U.S.C. § 1983. Plaintiff also requested permission to proceed without prepayment of the required \$350.00 filing fee. After review of his submissions, the United States Magistrate Judge **ORDERED** Plaintiff to (1) pay an initial partial filing fee and (2) supplement his complaint with additional information. *See* Order, Feb. 19, 2016, ECF No. 5. When the time allowed for Plaintiff's response expired and no response was filed, the Magistrate Judge ordered Plaintiff to show cause why his lawsuit should not be dismissed for failure to comply. *See* Show Cause Order, April 1, 2016 (ECF No. 7). Plaintiff was given fourteen days to respond to the Show Cause Order and advised that failure to do so would result in the dismissal of his Complaint. *Id.*

The time for filing a response to the Show Cause Order has now also passed, *see id.*,

and Plaintiff has again failed to respond or otherwise comply with an order of the Court. Because of this failure, Plaintiff's Complaint is hereby **DISMISSED WITHOUT PREJUDICE**. See Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) ("The court may dismiss an action *sua sponte* under Rule 41(b) for failure to prosecute or failure to obey a court order.") (citing *Lopez v. Aransas Cnty Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)).

SO ORDERED this 16th day of May, 2016

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT